

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

ROBERTO CRUZ,)	
)	
Petitioner,)	
)	
v.)	CIVIL ACTION NO. 2:08-cv-645-CO-PWG
)	
GARY HETZEL, Warden;)	
ATTORNEY GENERAL FOR)	
THE STATE OF ALABAMA,)	
)	
Respondents.)	

MEMORANDUM OF OPINION

The magistrate judge filed findings and recommendation on December 3, 2008, recommending that the petition for writ of habeas corpus be denied. On December 15, 2008 petitioner filed objections to the findings and recommendation.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the findings and recommendation and the objections filed by the petitioner, the Court is of the opinion that the magistrate judge's findings are due to be and are hereby ADOPTED and his recommendation is ACCEPTED. Accordingly, the petition for writ of habeas corpus is due to be DENIED. A Final Judgment will be entered.

Done this 5th day of January 2009.



 L. SCOTT COOGLER
 UNITED STATES DISTRICT JUDGE
 153671